

RECEIVED 16 FEB 2006

Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		Attorney Docket: 27184U U.S. Application No.: 60/836,683 Not Yet Assigned
International Application No.: PCT/EP2004/051947	International Filing Date: 27 Aug. 2004 (27.08.2004)	Priority Date Claimed: 28 Aug. 2003 (28.08.2003) EP
Title of Invention: USE OF SURFACTANT PREPARATIONS FOR THE TREATMENT OF SURGICAL ADHESIONS		
Applicants for DO/EO/US: HAEFNER, Dietrich; HARAND, Ralf; AMMON, Eva; STURM, Ernst; EISTETTER, Klaus; TAUT, Friedemann; MUELLER, Thomas		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"><li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li><li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li><li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li><li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):<ol style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li><li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li></ol></li><li>6. <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li><li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<ol style="list-style-type: none"><li>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li><li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li><li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li><li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li></ol></li><li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li><li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li><li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li></ol>		
<b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b>		
<ol style="list-style-type: none"><li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li><li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li><li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li><li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li><li>15. <input type="checkbox"/> A substitute specification.</li><li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li><li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li><li>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li><li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li></ol>		

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U.S. Application No.: Not Yet Assigned	International Application No.: PCT/EP2004/051947	Attorney Docket: 27184U		
<p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p>TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2005/021011 A1, WITH PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: 10 MARCH 2005 (10.03.2005), WHICH CONSISTS OF 16 PAGES: 1 PAGE FOR THE COVER SHEET, WITH ABSTRACT, 12 PAGES OF TEXTUAL SPECIFICATION, 2 PAGES OF 10 CLAIMS, 1 SHEET OF DRAWINGS; <b>PRELIMINARY AMENDMENT WITH APPENDICES A, B, AND C TO BE EXAMINED</b>; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>				
The following fees are submitted:				
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a))..... \$ 300.00		CALCULATION \$ 300.00		
22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$ 0.00 All other situations ..... \$ 200.00		\$ 200.00		
23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$ 400.00 All other situations ..... \$ 500.00		\$ 400.00		
Total of 21, 22 and 23		\$ 900.00		
— Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	# of each additional 50	RATE	
27-100 =	0/50 =	0	X \$250	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$ 0.00	
CLAIMS	# FILED	# EXTRA	RATE	
TOTAL	10-20=	0	X \$50	\$ 0.00
INDEPENDENT	2-3=	0	X \$200	\$ 0.00
Multiple dependent claims (if applicable)			+ \$360	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =			\$ 900.00	
— Applicant claims small entity status.				
— Fees above are reduced by ½.				
		SUBTOTAL =	\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			\$ 0.00	
TOTAL NATIONAL FEE =			\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$ 0.00	
TOTAL FEES ENCLOSED =			\$ 900.00	
		Amount to be refunded	\$	
		Amount to be charged	\$	

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U.S. Application No.: Not Yet Assigned <b>887908816</b>	International Application No.: <b>PCT/EP2004/051947</b>	Attorney Docket: 27184U
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- a.  A check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d.  Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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100-2006-30 21 FEB 2006  
MAIL STOP PCT  
Attorney Docket: 27184U  
Date: February 21, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HAEFNER, et al.

Serial No.: Not Yet Assigned

Filed: February 21, 2006

International Application: PCT/EP2004/051947

International Filing Date: 27 August 2004 (27.08.2004)

Title: **USE OF SURFACTANT PREPARATIONS FOR THE TREATMENT OF SURGICAL ADHESIONS**

**TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/021011 A1, with PCT/ISA/210 (International Search Report); International Publication Date: 10 March 2005 (10.03.2005), which consists of 16 pages:
  - 1 page for the Cover Sheet, with Abstract,
  - 12 pages of Textual Specification,
  - 2 pages of 10 Claims,
  - 1 sheet of Drawings;
- 4) **Preliminary Amendment with Appendices A, B and C to be Examined;**
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/RO/101 (PCT Request);
- 9) Check No.: 1685 in the Amount of \$ 900.00 for Basic Filing Fee, which includes the Search and Examination Fees, as a Large Entity;
- 10) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
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